

REMARKS

This amendment is offered in response to the final Office Action of August 24, 2006. A fee and a request for continued examination of the application are also enclosed.

The Office Action objected to the form of the abstract. Additionally, the Office Action rejected claims 3-5 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 3 and 5 were rejected under 35 U.S.C. §102(b) as anticipated by Imedio Ocana (U.S. Published Application 2001-0005998). Further claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Imedio Ocana.

In response, Applicant has amended the abstract into one paragraph so it conforms to the form requirement. Additionally, claims 3 and 4 have been amended to remove the improper antecedent basis. Further, claim 3 has been amended to include the language “linearly disposed” to more distinctively claim the invention. Support for this amendment is found in page 4, paragraph 5 of the specification, in Figure 5, and throughout the specification. No new matter is being added.

35 U.S.C. §112, Second paragraph rejection of claims 3-5

In response, claims 3 and 4 have been amended. The amended claims 3 and 4 now distinctly claim the subject matter. Withdrawal of the rejections under 35 U.S.C. §112, 2nd paragraph is respectfully requested

35 U.S.C. §102(b) rejection of claims 3 and 5 over Imedio Ocana

Imedio Ocana discloses a device which the motor is arranged or disposed perpendicular to the plane formed by various other parts of the device such as the inner square bar 25 and inner shaft 24. See Figure 2, element 51 of Imedio Ocana. Also shown in Figure 7 of

Imedio Ocana, the motor arranged perpendicular to the second shaft 26 moves the arm 303 via a spring 53 and a endless screw 52. See Page 3, paragraph 0049 of the specification of Imedio Ocana.

In the present invention as shown Figure 5, the motor 51 is arranged linearly to the plane formed by the various parts such as the shaft 9 and the cylindrical rod of a dish plate 52. Additionally the motor is connected directly to the shaft. Further, the arrangement of the motor of the present invention allows the entire assembly to be enclosed within cylinder case 1 as shown in Figures 3 and 5. The box 41 and the casing 42, of Imedio Ocana are identified in the Office Action as cylindrical casing. As shown in Figure 2 of Imedio Ocana, the box 41 and the casing 42 are not cylindrical as in the present invention. See cylinder case 1 of Figure 5.

For the above reasons, Imedio Ocana fails to anticipate the amended claims of the present invention. It is therefore respectfully submitted that the rejection under 35 U.S.C. §102(b) has been overcome.

35 U.S.C. §103(a) rejection of claims 4 over Imedio Ocana

One of the requirements of obviousness rejection is that the prior art reference when combined, must teach or suggest all the claim limitations. As explained above, Imedio Ocana fails to anticipate the present invention. The combination of Imedio Ocana with “ratchet means for engaging members to allow for a free-wheeling”, which the Office Action claims as well known in the art, would still fail to teach or suggest all the limitation of the present invention as claimed, therefore withdrawal of the above rejection is respectfully requested

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to allow the claims, and to pass this

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application to early issue.

A fee and request for continued examination of the application are enclosed. We do not believe any additional fees are due. However, if any additional fees are due, please charge such sums to our Deposit Account: 50-1145.

Respectfully submitted,

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